



Congress of the United States

House of Representatives

Washington, DC 20515

September 28, 2009

The Honorable Eric H. Holder, Jr.
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW, Room 1145
Washington, DC 20530
Fax: (202) 514-4482

Dear Attorney General Holder:

We write in strong support of your decision to appoint a federal prosecutor to investigate accounts of detainee abuses by U.S. personnel and private contractors, as well as to counter spurious comments made by former Vice President Cheney regarding previous U.S. detention policies. No one is above the law and we are gratified by your efforts to investigate the previous conduct of the U.S. government and to ensure that these types of abuses never occur again.

It has become clear that during the previous administration "enhanced interrogation techniques," including waterboarding and wall slamming, were approved and used on detainees. A 2004 report by the C.I.A. inspector general outlines a variety of cases of mistreatment that include the deaths of detainees while in C.I.A. custody, suggestions of sexual assault, mock executions, and other abuses. These and all other allegations require full and independent investigations.

Unfortunately, Vice President Cheney has sought to undermine your efforts by characterizing your decision to appoint a federal prosecutor to investigate detainee abuses as political. While Vice President Cheney is all too familiar with politicizing the Justice Department, his claims regarding your decision are undeniably false.

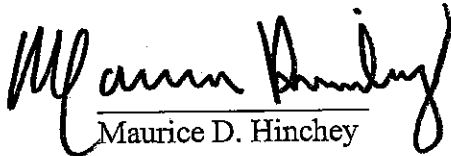
Mr. Cheney has argued that the Justice Department has already reviewed the allegations of abuse. Unfortunately, he failed to acknowledge that the previous review of detainee abuse cases was conducted by the same Justice Department that had already deemed the use of certain torture techniques as legal in a series of controversial memos. This presents obvious conflicts of interest that compromise the integrity of this supposed review. An independent investigation is clearly needed, given the severity of these matters.

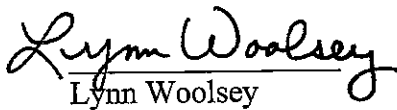
We also strongly oppose Vice President Cheney's continued support for the use of torture as a legal and effective tool against terrorism. Our position is in line with Senator McCain's sentiments that the use of torture violated the Geneva Convention on torture, aided al-Qaeda and other terrorist organizations with recruitment, damaged our image abroad, and produced flawed intelligence.

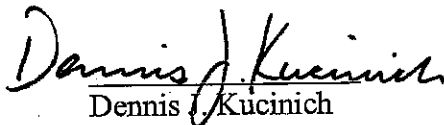
Vice President Cheney's claim that a Justice Department review will demoralize the American intelligence community is unfounded. As President Obama has clearly stated and as you have reiterated, those who acted on previous Justice Department advice will not be prosecuted. Rather, it is Vice President Cheney's defense of those who crossed the already questionable lines set by the previous administration's Justice Department that demoralizes the intelligence community and undermines the rule of law.

On behalf of the many Americans we represent in Congress, we thoroughly and completely support the appointment of a federal prosecutor and believe that this decision will strengthen the integrity and future of our country.

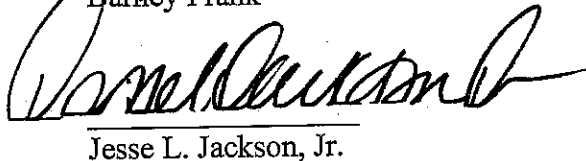
Sincerely,


Maurice D. Hinchey

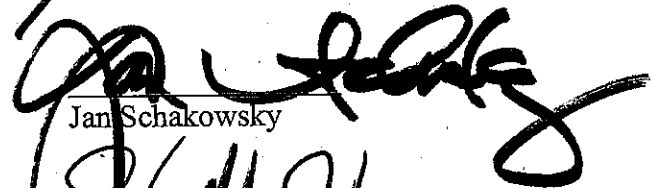

Lynn Woolsey

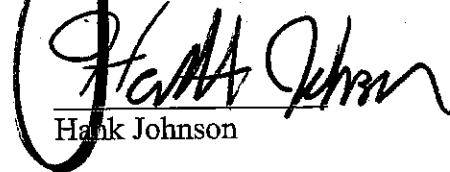

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